COMMITTEE AMENDMENT FORM

COMMITTEE ZONING PAGE NUM. (S) ____
ORDINANCE I. D. #06-O-0690 SECTION (S)
RESOLUTION I. D. #06-R- PARA.

DATE: 05/31/06

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION REQUIRING A SITE PLAN DATED 05/04/06.

AMENDMENT DONE BY COUNCIL STAFF 5/31/06

City Council Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-28

Date Filed: 2-23-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at 1315 Northwest Drive, N.W., be changed from the R-4A (Single Family Residential) District to the RG-2 (Residential General-Sector 2) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 258, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

<u>SECTION 3.</u> That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

<u>SECTION 4.</u> That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

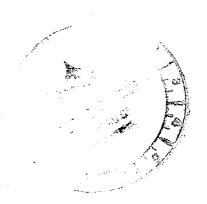
TRACT 1 LEGAL DESCRIPTION

2-06-28

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, Commence at the intersection of the South Line of Land Lot 258 and the Easterly right of way line of Northwest Drive (Apparent 40' right of way), thence along said right of way line 1576.64 to a point, said point being the TRUE POINT OF BEGINNING, thence continuing along said right of way line 26.47 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 20 degrees 06 minutes 48 seconds West 26.46 feet to a point; thence North 17 degrees 35 minutes 16 seconds West a distance of 312.14 feet to a point; thence leaving said right of way line North 58 degrees 35 minutes 30 seconds East a distance of 432.08 feet to a 1" open top pipe found; thence North 59 degrees 49 minutes 35 seconds East a distance of 102.16 feet to a 1" open top pipe found; thence South 19 degrees 38 minutes 03 seconds East a distance of 115.00 feet to a point; thence South 14 degrees 16 minutes 50 seconds West a distance of 384.50 feet to a point; thence South 68 degrees 21 minutes 55 seconds West a distance of 320.00 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 3.884 acres.



TRACT 2 LEGAL DESCRIPTION

Z-06-28 ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the

17th District, Fulton County, Georgia and being more particularly described as follows: To find the TRUE POINT OF BEGINNING, Commence at the intersection of the South Line

of Land Lot 258 and the Easterly right of way line of Northwest Drive (Apparent 40' right of way), thence along said right of way line 1247.00 to a point, said point being the TRUE POINT OF BEGINNING, thence continuing along said right of way line North 44 degrees 28 minutes 31 seconds West a distance of 126.56 feet to a point; thence North 42 degrees 26 minutes 17 seconds West a distance of 91.72 feet to a point; thence 111.36 feet along an arc of a curve to the right, said curve having a radius of 324.20 feet and a chord bearing and distance of North 32 degrees 17 minutes 34 seconds West 110.82 feet to a point; thence North 68 degrees 21 minutes 55 seconds East a distance of 320.00 feet to a point; thence leaving said right of way line North 14 degrees 16 minutes 50 seconds East a distance of 384.50 feet to a point; thence North 19 degrees 38 minutes 03 seconds West a distance of 115.00 feet to a 1" open top pipe found; thence North 59 degrees 18 minutes 18 seconds East a distance of 724.62 feet to an iron pin found; thence South 00 degrees 46 minutes 54 seconds West a distance of 656.79 feet to a 2" open top pipe found; thence South 45 degrees 50 minutes 43 seconds West distance of 115.86 feet to a 1" open top pipe found; thence South 45 degrees 06 seconds West a distance of 380.56 feet to a 2" crimp top pipe found; West North 44 degrees 51 minutes 14 seconds West a distance of 89.27 feet to a 1" open op pie found; thence South 50 degrees 24 minutes 31 seconds West a distant to a point and the TRUE POINT OF BEGINNING.

Said tract containing 12.072 acres.

Page 2 of 3

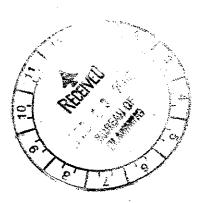
LEGAL DESCRIPTION PARCEL C

2-06-28

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 258 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from the intersection of the South Line of Land Lot 258 and the Easterly right-of-way line of Northwest Drive (Apparent 40' right-of-way), thence northerly along said right-of-way line 1,915.3 feet to a point; thence leaving said right-of-way line of Northwest Drive North 58 degrees 35 minutes 30 seconds East a distance of 432.08 feet to an iron pin found (1" Open Top Pipe) and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING as thus established, thence North 61 degrees 05 minutes 29 seconds West a distance of 401.20 feet to a point; thence North 25 degrees 55 minutes 56 seconds East a distance of 420.06 feet to a point; thence North 70 degrees 22 minutes 11 seconds East a distance of 434.90 feet to an iron pin found (1" Open Top Pipe); thence South 83 degrees 59 minutes 30 seconds East a distance of 470.80 feet to an iron pin set; thence South 00 degrees 15 minutes 05 seconds East a distance of 247.30 feet to an iron pin found; thence South 59 degrees 18 minutes 18 seconds West a distance of 724.62 feet to an iron pin found (1" Open Top Pipe); thence South 59 degrees 49 minutes 35 seconds West a distance of 102.16 feet to an iron pin found and the TRUE POINT OF BEGINNING.

Said tract containing 10.928 acres (476,024 square feet).



Page 3 of 3

City Council Atlanta, Georgia

Z-06-28

Date Filed: 2-23-06

AN AMENDED ORDINANCE BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

<u>SECTION 1.</u> That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1315 Northwest Drive, N.W.,** be changed from the R-4A (Single Family Residential) District to the RG-2-C (Residential General-Sector 2-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 258, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

<u>SECTION 3.</u> That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

<u>SECTION 4.</u> That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-06-28 for 1315 Northwest Drive, N.W.

1. A site plan entitled "Northwest Drive Townes" prepared by Planners and Engineers Collaborative dated July 12, 2005 last revised 4/26/06 and marked received by the Bureau of Planning May 4, 2006.

